

## ORDINANCE NO. 45-926

AN ORDINANCE AMENDING SECTIONS 7.20.010, 7.20.020, 7.20.030, 7.20.040, 7.20.050 OF THE CODE OF THE CITY OF WICHITA, KANSAS PERTAINING TO RESTAURANTS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Sections 7.20.010, 7.20.020, 7.20.030, 7.20.040, 7.20.050 of the Code of the City of Wichita, Kansas shall read as follows:

**Section 7.20.010 Definitions.**

The following definitions shall apply in the interpretation and enforcement of this chapter.

"Employee" means any individual who handles food or drink during preparation, transportation, or serving; or who comes in contact with any eating or cooking utensils.

"Health officer" means the director of the City of Wichita Department of Environmental Health, or his or her authorized representative.

"Person" means any individual, corporation, partnership, association, firm, joint venture, company, other state franchised business entity such as a professional association, limited liability company, or limited liability partnership or other organization of any kind in charge of, or in control of, or in authority over any restaurant.

"Restaurant" means any place in which food is served or is prepared for sale or service on the premises or elsewhere. Such term shall include, but not be limited to, fixed or mobile restaurant, coffee shop, cafeteria, short order cafe, luncheonette, grill, tea room, delicatessen, sandwich shop, soda fountain, tavern, private club, drinking establishment, roadside stand,

industrial feeding establishment, catering kitchen, commissary, and any other private, public, or nonprofit organization or institution routinely serving food or beverage and any other eating or drinking establishment or operation where food or beverage is served or prepared for the public with or without charge and which is licensed as a food service establishment by the Kansas Department of Health and Environment.

**Section 7.20.020 Food handler's card.**

No person operating a restaurant shall allow any employee to engage in any food handling whatsoever unless the employee has attended a food handlers instructional class that is provided or approved by the health officer or has passed a written examination approved by the health officer. Each employee shall maintain in his or her possession a food handler's card issued by the health officer certifying that the employee has received such instruction or has passed such examination.

**Section 7.20.030 Violation--Penalty.**

Any person violating any provision of this chapter is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars or by imprisonment of not more than six months or both such fine and imprisonment.

SECTION 2. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon adoption and publication in the official city newspaper.

PASSED by the governing body of the City of Wichita, Kansas, this November 18, 2003.

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Carlos Mayans, Mayor

ATTEST:

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Karen Schofield, City Clerk

Approved as to Form:

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Gary E. Rebenstorf, Director of Law